

THE OFFICE OF THE GOVERNOR

EXECUTIVE DEPARTMENT
STATE OF IDAHO
BOISE

EXECUTIVE ORDER NO. 2001-06

CONTINUATION OF THE ENERGY RESOURCES DIVISION OF THE IDAHO DEPARTMENT OF WATER RESOURCES REPLACING EXECUTIVE ORDER NO. 96-11 AND TRANSFERRING ENERGY CODES AND STANDARDS FOR BUILDINGS TO THE DIVISION OF BUILDING SAFETY

WHEREAS, energy is a vital resource to Idaho and is inextricably linked to Idaho's water resources; and

WHEREAS, the availability of long-term energy supplies is critical to the well-being of Idaho; and

WHEREAS, it is the responsibility of state government to employ measures to reduce wasteful, uneconomical, and unnecessary uses of energy which will diminish Idaho's energy and water resources; and

WHEREAS, the consolidation of governmental activities relating to water resources and energy has provided efficient state services; and

WHEREAS, the House concurrent Resolution No. 19 (1999 Idaho Sess. Laws 1163) created an Interim Committee on Construction Industry Laws; and

WHEREAS, the Interim Committee issued its findings and recommendations including a recommendation that some responsibility for matters related to energy codes and standards be transferred to the Division of Building Safety;

NOW, THEREFORE, I, DIRK KEMPTHORNE, Governor of the State of Idaho, by the authority vested in me by the Constitution and laws of the State of Idaho, do hereby order the continuation of the Energy Resources Division of the Idaho Department of Water Resources and the transfer of energy codes and standards for buildings to the Division of Building Safety as follows:

- 1. TRANSFER AND RETENTION OF FUNCTIONS. The Director of the Department of Water Resources, being authorized by Section 42-1706, Idaho Code, to perform professional duties at the request of the Governor, and as otherwise provided by law, is vested with the following energy planning, policy, and coordination functions:*
 - a) Advise the Governor, the Legislature, and other public officials of the State's energy requirements, supply, management, conservation, and efficiency efforts;*
 - b) Serve as the lead state agency to solicit, receive, and disburse any funds from all available sources that can be used to promote the conservation of energy and the development of energy resources;*
 - c) Pursue and accept federal delegation of responsibility and authority for matters that affect the energy supply, consumption, and conservation by the citizens of Idaho other than energy codes and standards for buildings and those matters under the jurisdiction of the Idaho Public Utilities Commission;*
 - d) Prepare, and as necessary, implement contingency plans for the conservation and allocation of energy supplies not otherwise regulated by the Public Utilities Commission during periods of shortages and supply interruptions;*
 - e) Provide technical and funding assistance to the Division of Building Safety for the development, promotion, implementation, and enforcement of energy codes and standards by Building Safety for commercial and residential buildings in the public and private sectors;*
 - f) Assist local governments, school districts, and public institutions by providing technical and funding assistance for programs to improve energy management and reduce energy consumption;*

- g) *Provide public information and data on energy supplies, demands, technologies, efficiency measures, and conservation;*
 - h) *Promote energy conservation through research, public information, education, training, technical assistance, funding assistance, and other activities;*
 - i) *Promote the increased utilization of renewable energy resources through funding and technical assistance, research, and public information;*
 - j) *Assist citizens in developing energy-efficient technologies;*
 - k) *Enter into a memorandum of agreement with the Division of Building Safety to transfer two FTPs and associated funding from the Energy Resources Division of the Department of Water Resources to the Division of Building Safety to accomplish item e) above and to establish the basis for future funding for the development, promotion, implementation, and enforcement of energy codes and standards by Building Safety for commercial and residential buildings.*
 - l) *Enter into other agreements and contracts and do all else necessary to carry out the provisions of this Executive Order and in the performance of other duties as may be directed by the Governor.*
2. **SAVINGS PROVISIONS.** *All orders, regulations, contracts, and licenses which have been issued in the performance of functions which are retained under this Executive Order, and which are in effect at the time this Executive Order takes effect, shall continue in effect according to their terms until modified or terminated.*
- a) *Whenever the Idaho Office of Energy or the Director thereof is referred to in any law, rule, regulation, order, contract, document, judicial or administrative proceeding, or otherwise, the same shall be considered to mean the Department or the Director of the Department of Water Resources;*
 - b) *The duties, responsibilities, and authority of this Executive Order shall not alter any existing responsibilities, jurisdiction or planning functions of state agencies established by state or federal law; nothing in this Executive Order shall be construed to provide or imply any regulatory authority by the Energy Division of the Department of Water Resources over public utilities that are subject to the jurisdiction of the Idaho Public Utilities Commission.*

This Executive Order shall cease to be effective four years after its entry into force.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on the eighth day of March in the year of our Lord two-thousand and one, and of the Independence of the United States of America the two hundred twenty-fifth and of the Statehood of Idaho the one hundred eleventh.

A handwritten signature in dark ink, reading "Dirk Kempthorne".

DIRK KEMPTHORNE
GOVERNOR

A handwritten signature in dark ink, reading "Pete T. Cenarrusa".

PETE T. CENARRUSA
SECRETARY OF STATE